IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.586 OF 2004
IN
SUMMARY SUIT NO.1537 OF 2004

Anil U. Shelar
Sole Prop.of Can & Able Chartering Service ..Plaintiff
V/s.
Bentonit Mines & Minerals Pvt.Ltd.& Anr. ..Defendants

Ms.Manjari Shah i/b M/s.Motiwala & Co. for the Plaintiff.
None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 23RD AUGUST, 2005.

P.C. :

1. The suit is filed to recover the amounts in respect of brokerage commission due and payable by the Defendants to the Plaintiff pursuant to a Charter Party Agreement dated 1st June, 2001. An additional clauses are incorporated in the Charter Party Agreement. The Plaintiff's claim falls under Clauses 20 and 39 thereof. Under the said clauses, the Plaintiff is entitled to brokerage commission at 1.25% of freight. The Plaintiff raised the invoice in respect of the suit claim. Part payments were made for which credit has been given.

2. There is no affidavit in reply. There is no reply to the Plaintiff’s notice of demand. There is no defence to the suit.

3. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

4. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed with costs.

. Refund as per rules.